

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN SCOTT FOSTER,

Plaintiff,

Case No. 1:07-cv-950

v.

Honorable Wendell A. Miles

MARY BERGHUIS et al.,

Defendants.

JUDGMENT

In accordance with the Opinion filed this date:

IT IS HEREBY ORDERED that Plaintiff's action be **DISMISSED** with prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915A(b).

For the same reasons that the Court dismisses the action, the Court discerns no good-faith basis for an appeal. *See* 28 U.S.C. § 1915(a)(3); *McGore v. Wigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated: November 29, 2007

/s/ Wendell A. Miles

Wendell A. Miles

Senior United States District Judge